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December 1, 2004

Ms. Paula Higashi  
Executive Director  
Commission on State Mandates  
980 9<sup>th</sup> Street, Suite 300  
Sacramento, CA 95814

Dear Ms. Higashi:

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SUBJECT: Case No.: 04-RL-3929-05 Regional Housing Needs  
Determination – Councils of Governments

The San Diego Association of Governments (SANDAG) is submitting this letter in support of the opening brief from the California Association of Councils of Governments on behalf of all Councils of Governments within California.

It is SANDAG's opinion that Councils of Governments are eligible claimants under article XIII B, Section 6 of the California Constitution. SANDAG has made claims and received reimbursement for undertaking the Regional Housing Needs Determination (RHND) process in the past (most recently in 2000 for work done in Fiscal Year 1998-1999). We are currently working on the RHND process for the 2005-2010 housing element cycle and have submitted a reimbursement claim for a portion of that work.

In support of this opinion we note the decision made by the Board of Control (predecessor to the Commission on State Mandates) on August 29, 1981, which determined that Chapter 1143, Statutes of 1980, resulted in state mandated costs that are reimbursable pursuant to Part 7 (commencing with Government Code Section 17500) of Division 4 of Title 2. The Mandated Cost Manual issued by the State Controller's Office states under Eligible Claimants that "Any city, county, city and county, or council of governments incurring increased costs as a direct result of this mandate is eligible to claim reimbursement of these costs."

Again, we support the comments provided by the California Association of Councils of Governments.

Thank you for your consideration of these comments, and we look forward to participating in the reconsideration process.

Sincerely,

  
GARY L. GALLEGOS  
Executive Director

GLG/SB/mh